

# HCBT

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March 9, 2010

File No.: 11704-0001

**VIA E-FILE**

Honorable Dickinson R. Debevoise, Sr., U.S.D.J.  
U.S. District Court for  
The District of New Jersey  
M.L. King, Jr. Federal Bldg  
U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

Re: Walsh Securities v. Cristo Management LTD., et al.  
Civil Action No. 97-3496

Dear Judge Debevoise:

This letter is submitted in reply to Mr. Kott's letter objecting to the form of Order dismissing the case as to Michael Alfieri, Esq. and removing this firm from the counsel list.

Plaintiff, in settling with Mr. Alfieri, agreed in writing to indemnify and hold Mr. Alfieri harmless for any and all judgments on any and all crossclaims by any and all co-defendants. If Mr. Kott requires additional confirmation of this point, he can contact Mr. Magnanini directly.

Thus, while Mr. Alfieri does not anticipate any finding of liability on any crossclaim, to the extent that any such liability was found, that amount of money would act as an offset against the Plaintiff's judgment obtained against all other co-defendants.

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Therefore, it is respectfully submitted that the Order be entered over Mr. Kott's objection.

Respectfully submitted,

*/s/ Edward C. Bertucio*

EDWARD C. BERTUCIO, ESQ.

ECB/job

cc: Robert A. Magnanini, Esq. (via facsimile and regular mail)  
Edward J. Hayes, Jr., Esq. (via facsimile and regular mail)  
Martin R. McGowan, Jr., Esq. (via facsimile and regular mail)  
David R. Kott, Esq. (via facsimile and regular mail)

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